UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/61/Add.15
2 April 1993

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Fourth session
Geneva, 19-30 April 1993
Item 5 of the provisional agenda

STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Addendum

Contribution from the United Nations Children's Fund

1. The attention of the Preparatory Committee is drawn to the attached contribution entitled "Children's Rights and Squandered Opportunities" submitted by the United Nations Children's Fund. In its position paper UNICEF identifies two types of emergencies detrimental to the survival and development of children: the first, characterized as "loud emergencies", encompasses natural disasters and armed conflicts; the second, characterized as "silent emergencies", includes those emergencies resulting from entrenched poverty, sickness, lack of knowledge and inadequate services. The results of these emergencies on children have been and continue to be devastating.

2. The Convention on the Rights of the Child, when implemented, will mitigate the effects of present and future emergencies. The UNICEF paper briefly analyses the work of the Committee on the Rights of the Child and applauds its adoption of a constructive, as opposed to a confrontational approach in its dialogue with Governments. Finally, the paper proposes actions to be taken by Governments, non-governmental organizations and intergovernmental organizations to best safeguard the interests and the rights of the child.

CHILDREN'S RIGHTS AND SQUANDERED OPPORTUNITIES

1. It is a shameful irony that the international community should be approaching the twenty-first century with so much capacity to save and to enrich people's lives while demonstrating so little practical-will to do so. With the cold war shrinking into memory and democratic principles in full bloom, it is even more disturbing that human imagination should find expression in new atrocities, gratuitously inflicted upon others a d upon children and women in particular. 1/ That adult society should acquiesce by failing to pursue every means of redressing violations of human rights is unforgivable. The International Human Rights Covenants and the Convention on the Rights of the Child, are unequivocal in their recognition of the indivisibility and universality of economic, social, cultural, civil and political rights and yet nations in every region flout them daily.

2. From UNICEF's special vantage as the United Nations agency for children and one of the agencies charged by the Convention on the Rights of the Child to monitor the needs and interests of children, there are two clearly identifiable types of emergency which shout for equal attention. They are: "loud" emergencies encompassing natural disasters and armed conflicts, which displace and disable millions of children, and "silent" emergencies, resulting from entrenched poverty, sickness, lack of knowledge and inadequate services, which cause many more deaths than any famine, flood or war, but which seldom make headlines.

A. Loud emergencies

3. Among the most recent loud emergencies to draw humanitarian relief through UNICEF, have been armed conflicts in Afghanistan, Cambodia, Central America, Liberia, Mozambique, Somalia, Sudan and former Yugoslavia; drought in 11 countries of southern Africa; floods in Ecuador, Lebanon, Pakistan and Paraguay; earthquakes in Egypt, Indonesia, Pakistan and Turkey; volcanic eruptions in Nicaragua and the Philippines; cholera outbreaks in El Salvador and Peru; and the AIDS pandemic in Africa, Asia and the Americas. These and other loud emergencies have displaced and disabled millions of children, causing malnutrition, psychological trauma, unchecked disease and the disruption of family life and household security which are vital to development.

Children in armed conflict

4. During 1992, UNICEF was involved in 50 major humanitarian relief operations, devoting 25 per cent of its resources to children and women in need. By far the most difficult task, and one which has cost the lives of four UNICEF relief workers in the past 12 months, has been the delivery of emergency supplies to innocent victims. In a number of cases, opposing forces have demonstrated their indifference to human rights by blocking or delaying relief shipments to children and women in desperate circumstances. In some cases, UNICEF was able to negotiate brief cease-fires, or "corridors of peace" so that supplies and relief teams could reach the victims, but delays caused unnecessary suffering and cost innocent lives.

Targets of violence

5. It has become clear in a number of conflict situations that military commanders have targeted children and women deliberately. It is not uncommon for boys of 11 years and younger to be abducted, drafted or otherwise coerced into military training and active service. There are documented cases of child soldiers who have been forced to kill members of their own families or to serve as "cannon fodder" while storming enemy frontline or traversing minefields. There have been reports that land mines have been disguised as toys and planted near schools, playgrounds and other places where children would find them. The mass slaughter, rape and torture of young children and women of rival groups are also on the record. And these barbarities, it seems, never end. In parts of Asia, children are being killed or maimed almost daily by the accidental detonation of mines which were sown and forgotten during wars which ended long ago.

Direct casualties of war

6. More than 1.5 million children have been killed in wars during the past decade. More than 4 million have been physically disabled. Some 5 million are in refugee camps waiting for wars to end, and another 12 million have lost their homes. Untold numbers have been psychologically traumatized by exposure to the brutalities of armed conflict. In Sudan, it is estimated that 13 children have died for every soldier lost in combat. In former Yugoslavia, 97 per cent of 300 children surveyed said they had been fired upon, not indiscriminately by mortars or heavy artillery, but by snipers.

7. Before 1945, most victims of war were soldiers, but in more than 150 wars since then, 80 per cent of the 20 million dead and 60 million wounded, have been civilians, and most of them have been children and women. 2/

8. In developing countries, where the vast majority of wars have been fought since 1945, these events are compounded by poverty, drought, famine and other burdens of nature.

9. Generations of children are being killed and disfigured physically and emotionally by adult differences in defiance of the international community's best legal constructs. This madness must end. If society is to have standards there must also be accountability.

Indirect casualties

10. During the past 12 months, wars have cost the lives of some 500,000 children. But for every child lost to bombs and bullets, many more suffer the indirect consequences of separation from parents and family, loss of shelter, food and water supplies and other basic services such as immunization against diseases. Hospitals, clinics, schools and the staff who run them, were also strategic targets in at least one recent conflict.

11. Military spending, the cost of reconstruction and interest payments on debt, are bleeding the world's poorest nations, siphoning scarce capital from health, education and other budgets for child survival and development.

B. Silent emergencies

12. A revolution in communications has meant that the international community can no longer plead ignorance of human rights abuses. Politicians might turn the equivalent of a blind eye, but the world sees death and suffering, up close and in full colour through the eyes of television. Unfortunately, television and the news media are drawn mostly to the dramatic profile of loud emergencies and not to the far greater numbers of children who die each year in slums and poor villages from diarrhoea (3 million) or acute respiratory infections such as pneumonia (3.6 million). The atrocity here is that we know how to prevent this death and suffering for just a few cents or a few dollars per child. We have the capacity to immunize against the six main child killer diseases, to prevent diarrhoeal dehydration with oral rehydration salts, and to prevent blindness and gross mental handicaps by distributing vitamin A capsules and iodizing salt respectively.

Girl child

13. The international community also has the responsibility to draw attention to gross imbalances in the way nations apportion development resources. Gender biases which deny equal opportunity to girls and women are an abuse of human rights and an affront to any rational concept of sustained development. Of the 100 million children between the ages of 7 and 12 who are not in school, a full two thirds are girls. No nation can afford to sideline half its human capacity and potential.

Compassion fatigue

14. Another unfortunate side-effect of our ability to see the world and the suffering of those around us is that a proliferation of loud emergencies compete for our attention and resources. The impact can be seen in what is sometimes called "compassion fatigue" as the public's threshold of tolerance for suffering is ratcheted upwards by graphic repetition of situations which can eventually seem commonplace.

15. One insidious long-term risk, perhaps already manifested in the international community's hesitation to take a stand against today's new wave of human rights abuses, is that abominable acts such as the mutilation of children or the systematic rape and impregnation of thousands of girls and young women, can numb public opinion to the extent that the unthinkable can become the regrettable, the awkward and perhaps eventually ordinary. The same can be said of poverty and want.

Conspiracy of neglect

16. In the roar of media attention given to loud emergencies, it is vital that the world be reminded that no war, flood, drought or famine ever cost the lives of 35,000 children in a single day. That is the toll day after day, from silent emergencies driven by poverty, illiteracy and a lack of basic, inexpensive, lifesaving technologies in the world's poorest communities.

17. The Universal Declaration of Human Rights (1948) was lauded by the international community for recognizing that economic, social, cultural, civil and political rights are indivisible. The Declaration summarizes those rights as "freedom of speech and belief and freedom from fear and want". There has been almost a conspiracy of silence however on the question of freedom from want and the economic, social and cultural rights which separate the haves from the have-nots. One in every five of the world's people (1 billion) struggles for existence on less than a dollar a day. But while some of the most generous nations on Earth have no difficulty championing the civil and political rights of the poor, almost nothing is heard officially of their economic and social rights, sometimes characterized instead as "goals" or "aspirations". 3/

C. The Convention on the Rights of the Child and the World Summit

18. The most complete and concise exposition of those rights and the international community's expressed objectives for children, are to be found in the 54 articles of the Convention on the Rights of the Child (1989) and the Declaration and Plan of Action of the World Summit for Children which has been signed by 139 Heads of State or Government.

19. The Convention was adopted by the General Assembly in 1989 and entered into force just nine months later - a record for any international human rights treaty. It has been ratified by more than 130 countries and is the legal framework for monitoring progress in meeting the needs of children. The National Programmes of Action (NPAs) which have been developed in response to the World Summit for Children provide the operational framework for implementing many of the vital provisions of the Convention. Every UNICEF-assisted country programme and NPA reflect the goals for children and development in the 1990s that have been developed to meet the obligations of the Convention and the objectives of the World Summit.

Implementation

20. A 10-member committee of experts in the field of child rights and welfare has been elected by States parties to the Convention to monitor the performance of individual countries on behalf of their children. Nations which ratify the Convention are required to report progress on the implementation of the Convention's principles within two years. As of March 1993, the Committee had received 16 country reports.

21. In keeping with the approaches to implementation taken by the Convention, the Committee relies largely on constructive dialogue rather than confrontation to help Governments move toward full realization of the standards set by the Convention. The Convention recognizes that poorer nations could have difficulty meeting their obligations in the economic and social sectors and calls for international cooperation to assist countries in overcoming technical and financial constraints. UNICEF, as the United Nations "lead agency" for children, is working with Governments and with non-governmental organizations within the framework of regular programmes of cooperation in developing countries and through global advocacy activities to meet the goals for children and development in the 1990s and the obligations of the Convention.

22. The Convention is a framework for policies and programmes benefiting children. The UNICEF Executive Board in 1991 encouraged UNICEF to cooperate with developing countries to operationalize the obligations contained in the Convention by:

(a) Developing national mechanisms to gather gender- and area-specific data on children;

(b) Reviewing legislation pertaining to children;

(c) Undertaking studies on Convention-related issues;

(d) Providing training on the Convention for UNICEF staff and strengthening knowledge about the Convention among governmental counterparts and non-governmental organizations;

(e) Informing and educating children and youth about their rights.

Goals for 1990s

23. World Summit for Children goals in the 1990s include a 50 per cent reduction in malnutrition, illiteracy and maternal mortality rates, universal access to safe water supply and sanitation, and immunization for 90 per cent of the world's children against the main child killer diseases.

A 20/20 proposition

24. UNICEF firmly believes that these and other summit goals are attainable using available low-cost technologies, proven strategies, and relatively little new money. It is estimated that an additional $25 billion a year would be sufficient to implement the goals in developing countries and that most of this could be found by restructuring national budgets and official development assistance (ODA) to give children first call on available resources.

25. At the present time, only about 10 per cent of government spending in developing countries is allocated to such basics as nutrition, health care, water supply, sanitation, primary education and family planning. Industrialized countries also apportion less than 10 per cent of their ODA towards meeting these priority human needs. UNICEF estimates that if developing countries directed 20 per cent of their budgets to the priority needs of children and industrialized nations did the same with their development assistance, some 30 million lives could be saved in the 1990s in addition to many other benefits for children. There is no excuse for failure in the face of such an opportunity. The international community has the technology and the resources to guarantee these things.

26. The "best interests of the child" are universal. They include the right to survival, to healthy development, and to protection from abuse. These things are agreed. They are international standards. But what value do they have in a world which turns its back on hunger and want, on torture, rape, and

the exploitation of children? Children's lives cannot be put on hold while adult society mulls over its obligations towards them. Public commitments have been made. Treaties have been written and ratified. The time to act is now.

D. Recommendations

27. In response to the World Summit for Children and expanding support for the Convention on the Rights of the Child, a number of regional consultations and summit-level meetings have addressed the needs, interests and rights of children, and UNICEF has been associated with many of them. The following include recommendations from these meetings and from UNICEF's Executive Board.

28. It is recommended that nations:

First call for children

1. Integrate the Convention on the Rights of the Child into national development plans and support the implementation of National Programmes of Action.

2. Re-examine their budgets and bilateral and multilateral development assistance programmes in the context of the World Summit goals and give a first call to meeting priority human needs.

Legislation

3. Revise existing legislation to reflect the best interests of children and ensure that laws to protect their rights are enforced.

4. Ratify and implement the Convention on All Forms of Discrimination against Women in recognition of its complementarity with the Convention on the Rights of the Child and the special needs of the girl child.

Monitoring

5. Create institutions and mechanisms for the effective implementation and monitoring of the Convention on the Rights of the Child. Monitoring should be supported by the development of social and economic indicators and the collection of disaggregated data.

6. Direct their research and programme resources to the needs and interests of the most vulnerable groups of children, including: the girl child; working and street children; indigenous children; children affected by armed conflict and refugee and internally-displaced children in particular; and children at risk or affected by sale and trafficking, pornography, prostitution and exploitative labour.

Role of family

7. Support the Convention through policies, programmes and activities at community level which involve children and parents as well as NGOs and the media. The family's capacity to meet its obligations towards children deserves special support.

Education

8. Promote education and public information about children's rights and the goals of the World Summit for Children through the media and NGOs.

National action

9. Establish effective national and regional focal points for children and issues related to the Convention.

10. Encourage multilateral institutions and bilateral agencies to help developing countries, with particular attention to the least developed, implement their National Programmes of Action.

International cooperation

11. Encourage all relevant national and international bodies and NGOs to work with the Committee on the Rights of the Child, the Centre for Human Rights and Governments, to promote and protect children's rights.

Notes

1/ See letter dated 25 February 1993 from the Executive Director of UNICEF to the Chairman of the Commission on Human Rights (E/CN.4/1993/107).

2/ State of the World's Children 1991.

3/ See also Philip Alston: "Human Rights at the Dawn of the 21st Century", EEC, 22 January 1993.

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Distr.
GENERAL

A/CONF.157/PC/61/Add.16
7 April 1993

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Fourth session
Geneva, 19-30 April 1993
Item 5 of the provisional agenda

STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Addendum

Contribution from the International Fund for Agricultural Development

1. The attention of the Preparatory Committee is drawn to the attached contribution submitted by the International Fund for Agricultural Development (IFAD) entitled "Relation between development and human rights". This paper has been prepared taking into account the second objective of the World Conference on Human Rights set out in paragraph 1 (b) of General Assembly resolution 45/155 of 18 December 1955 as follows:

> "To examine the relation between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights recognizing the importance of creating the conditions whereby everyone may enjoy these rights as set out in the International Covenants on Human Rights".

2. The paper focuses on the increasing number of poor people around the world who live in rural areas. The approximately 2.5 billion rural poor do not enjoy the most basic human rights, and the plight of women, who comprise 60 per cent of this group, is the most disadvantaged. Since the 1974 World Food Conference, the International Fund for Agricultural Development is the United Nations institution mandated to address the issue of absolute poverty in the rural areas of the developing world. It is involved in financing agricultural development projects which aim at providing economic and social opportunities for the poor in rural areas.

RELATION BETWEEN DEVELOPMENT AND HUMAN RIGHTS

1. The Universal Declaration of Human Rights proclaims the economic, social and cultural rights to which everyone "as a member of society" is entitled. A corollary to that proclamation is the right to development for all: wealth, income, opportunity and social services should not be the prerogative of a few; inequalities between rural and urban sectors should be reduced since everyone has a human right to food, shelter, education and health care.

2. The stark reality is, however, that out of a population of some few billion in 114 developing countries, there are more than 2.5 billion poor people who live in rural areas, and of these approximately 1 billion live below the poverty line and are therefore denied such basic human rights. Despite efforts to reduce the percentage of the rural populations below nationally defined poverty lines, the absolute number of the rural poor has increased and there has been no significant progress in reducing the number of those living below the poverty line.

3. The poor folks' very right to live is threatened by disease, malnutrition and just the plain lack of the basics to sustain life. The rural poor comprise smallholder farmers (having 3 hectares or less of cropland) and the landless. In addition, there are artisanal fishermen, nomadic pastoralists and indigenous ethnic tribals. Smallholder farmers suffer from low yields, lack of productive services, inefficient markets for their produce which bind them in a low production:low savings trap. The most marginal of these small farmers, as a result of demographic pressures, have gradually been pushed into the ranks of the landless. The survival of the latter depends on uncertain and ill-paid seasonal labour and access to common pasture and forest lands. The meagre existence of the above-said groups is made even worse by natural disasters, policy biases, commercial premises and civil strife, which often forces them from their homelands. Other groups of rural poor are also affected by these processes. Artisanal fishermen and pastoralists are particularly vulnerable in terms of ecology damage and resource depletion and, as in the case of ethnic minorities, are exploited by a variety of intermediaries, traders, moneylenders and petty officials.

4. None the less, across all these groups of rural poor, the plight of women, who account for nearly 60 per cent, is by far the worst. Rural women are triply disadvantaged: as poor they are deprived human beings; as women they are subject to age-old discrimination and bias; and these two factors combined seem to detract and marginalize their role in society.

5. In comparison to men, rural women have less access to literacy, education, land and credit, their labour is cheaper and they must make do with less of everything, although they have the primary responsibility for homes and children and often must also manage the land due to male migration. Their lives are a drudgery of long work days, doing household chores, fetching water and wood. They must often look after food crops, vegetable crops and tend small livestock. As producers, though, they have less access to credit, extension and other productive services than the males. Rural women are the victims of gender discrimination at its worst, since often the nutrition available to them is hardly commensurate with the physical demands of manual work plus childbearing.

6. Apart from the violation of inalienable human rights, poverty also acts as a destructive agent on nature and the environment. After all environment and poverty are closely linked in a circular process of causation: left alone, each reinforces the other into a negative spiralling process of further degradation of environment and accentuation of poverty. Indeed, the rural poor are obliged in their plight for survival to make major onslaughts on natural resources: over-exploitation of soils, poor range management, destruction of forests, to name a few.

7. IFAD's role in facilitating the right of human beings to development originates in the 1974 World Food Conference. It was to be the institution of the United Nations system to address the issue of absolute poverty in the rural areas of the developing world, with the mandate of financing agricultural development projects which aim at providing economic and social opportunities for the poorest peasants, the landless, fishfolk, nomads, women and the other have-nots of the rural world. The Institution, in other words, aspires to endow these disadvantaged populations with the basic human rights to live free from hunger, malnutrition and want through sustainable farming methods, marketing, access to credit and off-farm employment.

8. IFAD believes that the deprivation suffered by millions due to hunger and poverty cannot be halted by the mere pursuit of the growth of the overall economy, which is believed to lead automatically to wealth "trickling down" to the have-nots. That this approach has not worked is demonstrated by the overwhelming persistence of poverty, not only in the rural world but also in the number of poor nations. A whole new understanding of the causes of the poverty process which infringes on the right to development is required, which IFAD believes may be formulated on a paradigm for development based on three fundamental propositions. The first is that sustained and sustainable rural development starts with, rather than ends with, poverty alleviation. The second is that poverty is essentially linked to problems of production and investments in poverty alleviation are therefore investments in production. The third is that it is the poor themselves that can increase production and it is they who represent a tremendous force for development. Without investment in human beings there can be no real development. Indeed, the poor can be mobilized in the search for domestic assets, since the resort to external resources has neither helped in alleviating the poverty of nations nor their people.

9. IFAD's projects are in fact directed to tapping the vast human resource that the rural poor represents. Strategies for targeting of specific groups of rural poor have been developed. They are the landless and the near-landless, artisanal fisherfolk, indigenous people, pastoralists, displaced persons, and across all groups, women. They suffer from many forms of discrimination, including socio-political marginalization. Apart from access to land and water, these people must be given technical support, technology, extension services, access to efficient markets and training.

10. A central feature in the new development paradigm is of course access of the disadvantaged to credit. The right to development hinges on equitable distribution of wealth, income and opportunity and it has been IFAD's

experience that the poorest are indeed bankable and that access to loans is a real catalyst in marshalling the productivity potential of the poor towards production.

11. The specificity of IFAD's approach to credit is not the provision of loans per se, but the way in which credit is tailored to suit the requirements of the beneficiaries. For instance, the Grameen Bank in Bangladesh, covering some 21,000 villages, is a fine portrayal of how creditworthy the poor can be and how borrowers can also be successful savers.

12. The Organization places special emphasis on the vital role that poor women play in rural communities, which traditionally has been ignored. Women besides looking after the home and tending children, are workers in the fields and conscientious borrowers whose returns go directly back to improving the lot of their families. Although women's work is responsible for half of the food production in the developing world, their role has gone unrecognized. However, this is no reason to view women in isolation for they, as key contributors to the development process, must be brought into the mainstream of development, else there will subsist millions and millions of human beings who are deprived of the right to survival through access to productive sources.

13. Another IFAD approach to fostering the right to development and the reduction of the inequalities that reign in rural areas centres on peoples' participation as a means and an end in the very process of development; they are thus enabled to rely increasingly on themselves. While many external agents and central and local governments are involved in rural development, the full participation and partnership of the poor in the process is essential. They must organize to obtain their fundamental rights and realize their aspirations or rather their rights to a better life in their own specific social environment.

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UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/61/Add.17
20 April 1993

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Fourth session
Geneva, 19-30 April 1993
Agenda item 5

STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Report of the Secretary-General

Addendum

Contribution by the United Nations Development Fund for Women

The attention of the Preparatory Committee is drawn to the attached report submitted by UNIFEM which reviews and assesses the progress made in the field of human rights as it relates to women. It focuses on the importance of including gender-specific issues on the agenda of the World Conference and argues for a redefinition of the concept of human rights. Based on its extensive experience in working with women in developing countries, UNIFEM believes that the realization of economic and social rights for women is inextricably linked to their realization of civil and political rights.

REPORT SUBMITTED BY THE UNITED NATIONS DEVELOPMENT FUND FOR WOMEN (UNIFEM) TO THE WORLD CONFERENCE ON HUMAN RIGHTS

EXECUTIVE SUMMARY

The 1993 United Nations World Conference on Human Rights will provide the U.N. with a unique opportunity to evaluate the work of the organisation in the field of human rights since the adoption of the Universal Declaration of Human Rights in 1948 and the 1968 Conference on Human Rights in Teheran. The Conference will be a forum to assess the effectiveness of the United Nations work in the field of human rights and the particular obstacles that it faces as well as to set targets for the future. During this assessment, it will be important to evaluate progress and obstacles in the implementation of the human rights instruments related to women.

Significant progress has been made since 1948 in the field of women's human rights through gender specific standard setting. The most important example is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the establishment a monitoring committee. Nonetheless, widespread violation of women's human rights continues to occur throughout the world. Various obstacles continue to limit women's enjoyment of the universal standards of human rights established in the UN Declaration of Human Rights. These include pervasive abuses such as gender based violence and those which arise out of specific contexts such as structural adjustment policies, misguided development policies, armed conflict and environmental degradation.

Within the legal framework of international human rights, universal and legally binding human rights are often not the rights centrally relevant to the majority of women's lives. For example, the definition of many rights excludes much of women's experience of violation. The traditional priority given to civil and political rights has marginalised the importance of economic, social and cultural rights which tend to have a more direct impact on the lives of women. International human rights law has focused on direct actions of the state itself or its officials. Yet, frequently, violations of women's rights occur at the hands of non state actors leading to the exclusion of women's concerns from the legal framework of human rights.

Mechanisms to defend women's human rights when compared with the general human rights institutions and procedures are weak. They have ineffective implementation processes and are often treated with less seriousness than other bodies within the human rights establishment.

The following are recommendations presented for achieving the targets of the Human Rights Conference:

* the United Nations should give priority consideration to a number of specific obstacles that women face in seeking to exercise their human rights. These include: violence against women in all its manifestations; the systematic use of sexual violence against women in situations of political instability; the negative effects of some development strategies, structural adjustment policies, and environmental degradation; the use of culture, religion and ethnicity to legitimize violations of women's human rights;

* all issues of human rights should be analyzed from a gender perspective making clear their particular impact on women;

* the mechanisms for the enforcement and monitoring of women's human rights should be strengthened. It is crucial that an effective individual and interstate complaints mechanism be established for the Women's Convention and for the women's rights to be guaranteed by the International Covenant on Economic, Social and Cultural Rights. Moreover, CSW and CEDAW must be strengthened and provided with adequate resources.

* the human rights establishment must become gender inclusive and training in gender awareness should be a formal requirement for United Nations experts, officers and all staff working in this area.

1. INTRODUCTION

The 1993 United Nations World Conference on Human Rights is the first major international conference on human rights in 25 years. The Conference, which is taking place against the backdrop of critical challenges for the world community, including political change, environmental catastrophe, armed conflict and growing global insecurity, will provide the United Nations with a unique opportunity to evaluate the work of the Organisation in the field of human rights since the adoption of the Universal Declaration of Human Rights in 1948 and since the 1968 Conference on Human Rights in Teheran.

The objectives of the World Conference on Human Rights, set out in General Assembly Resolution 45/155, call for an assessment of the progress that has been made in the field of human rights, the identification of obstacles to further progress, particularly in the context of development, and recommendations of ways in which such obstacles might be overcome. This evaluation will allow for an assessment of the effectiveness of the United Nations' work in the field of human rights and the particular obstacles and barriers that it faces as well as to set targets for the future.

This report is submitted by the United Nations Development Fund for Women (UNIFEM), a catalyst for women within the UN system which supports efforts of women in the developing world to achieve socio-economic development and equality. A priority for UNIFEM is to ensure that the concerns of women are featured as part of the mainstream debate at all levels and in all discussions of policy, both within and outside the United Nations. UNIFEM regards the achievement of its objectives a matter of human rights and social justice and considers that sustainable development will not be achieved unless women - more than half the world's population - are able to exercise economic, social, cultural, civil and political rights. The objectives of UNIFEM might appear to be concerned only with the realisation of economic, social and cultural rights, rather than with civil and political rights. However, UNIFEM views all human rights as indivisible and interdependent, and believes neither group of rights can be achieved without the realisation of the other. Moreover, only when women will enjoy the rights of all human beings and will be free from abuse that they will be able to participate fully in and benefit from development.

This report, accordingly, assesses the progress that has been made where women's human rights are concerned, identifies obstacles that have emerged and makes recommendations which might address these obstacles. The main thrust of the report is that while much progress has been made in standard setting, and procedures for the protection of women's human rights, empirical evidence clearly reveals that this progress has not been mirrored by concrete implementation of those standards. External factors, such as gender based violence, structural adjustment, debt, misguided development policies, environmental devastation and increasing armed conflict obstruct the efforts of women, particularly, in the developing world, to achieve socio-economic development and equality. Further, as this report demonstrates, the current legal framework of international human rights is also an important obstacle to the promotion and protection of the human rights of women.

2. PROGRESS IN THE FIELD OF HUMAN RIGHTS

Since the adoption of the Universal Declaration of Human Rights in 1948 and the 1968 Teheran Conference, an extensive body of international standards has been adopted and a wide range of institutions and procedures to monitor and secure their implementation have been established.

Standard setting for the protection of women's human rights began at the turn of the century, thus predating the United Nations, with international treaties referring primarily to protective concerns, predominantly around traffic in women[1] and employment protection.[2]

Some treaties concerned with the particular rights of women have also been developed since the establishment of the United Nations.[3] However, standard setting in this way has become uncommon because, from the foundation of the United Nations, all major treaties, although applying to men as well as women, have declared that sex is a forbidden ground of discrimination in the enjoyment of rights. The United Nations Charter, accordingly, subscribes to the concepts of human rights and fundamental freedoms for all, without distinction as "to race, sex, language or religion" and "equal rights of men and women", while Article 2 of the Universal Declaration of Human Rights, entitles all to "the rights and freedoms set forth in this Declaration without distinction of any kind, such as race, colour, sex, language, religion, political and other opinion, national and social origin, birth and other status". Also, the twin Covenants, which enumerate the individual's economic, social, cultural, civil and political rights, mention explicitly the principle of non discrimination on the grounds of sex.

This principle of the equality of women and men and the prohibition of discrimination against women are elaborated in various treaties sponsored by the International Labour Organization, which include the 1951 Equal Remuneration Convention for Men and Women Workers for Work of Equal Value (No. 100), the 1958 Discrimination Employment and Occupation Convention (No. 111), the 1981 Workers with Family Responsibilities Convention (No 156), and the United Nations Educational, Scientific and Cultural Organisation Convention against Discrimination in Education adopted in 1960.

Standards set in the general treaties containing the guarantee of non discrimination on the basis of sex, and in those treaties which refer specifically to women, are brought together in the Convention on the Elimination of All Forms of Discrimination Against Women (The Women's Convention), drafted by the United Nations over a five year period and approved in 1979. The Women's Convention acknowledges in its preamble that despite the various United Nations efforts to promote the equality of rights of men and women "extensive discrimination against women continues to exist," and that such discrimination "violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity", thereby clearly establishing a link between equality between the sexes and human, national and global development. It then sets out programmatic measures for the achievement of equality between men and women, regardless of their marital status, in all fields of political, economic, social, cultural and civil life.

Unlike previous international treaties concerned with the position of women, the Women's Convention provides for temporary measures of affirmative action, seeks to modify cultural patterns of behaviour and attitudes regarding the sexes, and tries to impose standards of equality and non discrimination on the basis of gender in private, as well as public life.

A comprehensive set of **institutions** and **procedures** have been introduced since the foundation of the United Nations to monitor and secure the implementation of human rights standards which apply to both women and men and which are, therefore, accessible to both. These include the Commission on Human Rights, the various treaty bodies, such as the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee Against Torture, the Economic, Social and Cultural Rights Committee and the various special and thematic rapporteurs. Beyond these, special institutions and procedures have also been introduced to encourage the implementation of the human rights of women.

The oldest of these is the Commission on the Status of Women (CSW) which, since its establishment in 1946, has sought to define and implement the principles of equality and non discrimination on the basis of gender by submitting comments and suggestions to the Commission on Human Rights and the Economic and Social Council, preparing resolutions and drafting Declarations and Conventions, the most important of which has been the Women's Convention. The Commission also has the power to receive communications concerning the status of women. Other institutions which have been established to encourage implementation of the rights of women are the various working groups set up by the Human Rights SubCommission on the Prevention of Discrimination and Protection of Minorities, including the Working Group on Contemporary Forms of Slavery, which made specific reference to the concerns of women and the SubCommission's Special Rapporteur on traditional practices affecting the health of women and children.

The most influential mechanism for implementation of women's human rights has been the treaty body set up by the Women's Convention--the Committee on the Elimination of Discrimination Against Women (CEDAW). This Committee of 23 experts monitors the implementation of the Women's Convention by examining reports submitted by states parties in accordance with their obligations under the Convention. It has now met twelve times and has made valuable contributions to the elaboration of the meaning of equality and non discrimination on the basis of sex.

3. OBSTACLES TO PROGRESS IN WOMEN'S HUMAN RIGHTS PROTECTION

Notwithstanding these legal and procedural achievements, the discouraging fact remains that for a majority of the world's women, the enjoyment of legally enshrined human rights remains a distant dream.

Statistical data and empirical studies testify to the fact that women in all societies are subordinated, marginalised and oppressed in all facets of their lives. Women are the majority of the poor, they work the longest hours, they earn the lowest pay and receive the fewest benefits. In the South, they work 60-90 hours per week to maintain even minimal living standards. They are the main labour force for subsistence agriculture and other

essential activities in the informal sector, yet their work, income, and contributions to national economic growth are rarely reflected in the national accounts.

Further injustice is suffered by women within the family where pervasive discrimination often deprives them of adequate food and basic health care.[4] The most insidious and widespread violation of the human rights of women and girls is gender based violence in its various manifestations.[5] It is useful to examine these and other factors that contribute to limiting women's access to their full human rights in more detail:

* Women in all parts of the world continue to be at risk of **gender based violence**. This violence represents the ultimate form of discrimination against women and manifests itself in various forms including female foeticide, female infanticide, incest, domestic violence, sexual harassment in the workplace, and sexual assault. The particular forms of gender based violence are affected by the specific cultural, economic and historical settings in which they occur but such violence happens in all countries. Gender based violence attacks the dignity of women as human beings, leaves them vulnerable and fearful, leads to the marginalisation of women in society, forces them out of decision making processes and, accordingly, impedes the development process itself.

* **Misguided development visions and strategies**, concentrating on economic development and ignoring the importance of human development, have sometimes increased the victimisation of the world's most disadvantaged groups, which inevitably include women. Many projects funded by international financial institutions and bilateral assistance have resulted in involuntary resettlement[6] and the expropriation of land used for subsistence farming, which has had a disproportionately negative impact on women who are the majority of the world's farmers. Many development policies disregard human rights objectives and ignore the importance of women in all aspects of the process, failing to ensure that women share equitably in the achievements of development.

* **Structural adjustment and stabilisation policies** initiated by the International Monetary Fund, the World Bank and other financial institutions, have served to exacerbate preexisting inequalities experienced by women of the South. Many programs concentrated on support for projects in areas of production dominated by men, ignoring the subsistence sector where most of women's labour is performed. Further, the reduction of public expenditure in health, education and other social programs, has had a disproportionately negative effect on women and girls. It has directly affected them as consumers and indirectly increased their burden as traditional health care providers within the family and the community.[7]

* Not only are women the majority of the poor, they are the majority of the starving and of the rapidly increasing population of **refugee and internally displaced persons**. In international armed conflicts and civil war, women are at disproportionate risk of rape and other sexual abuse.[8] Political, economic and civil upheavals and transition stages to new social arrangements, as well as international and civil war are increasingly contexts in which women are subjected to numerous forms of human rights abuse.

* Women in many parts of the world continue to be denied **basic levels of health**. This constitutes a denial of human rights in itself and also serves as a substantial check on human, social and economic progress. Challenges to the health of women arise particularly in the context of women's reproductive role. Only one third of the world's women have any access to contraceptive information or devices and more than one half have no access to trained help during pregnancy and childbirth. Female children, women with disabilities, and elderly women are frequently discriminated against in health services and women are not guaranteed access to protective measures against contracting AIDS. Female ill health, much of it related to reproduction and much of it preventable remains, therefore, an important obstacle to women's ability to participate in development and to exercise their human rights.

* **Environmental degradation and devastation** have increased the daily burdens of poor women in the developing world, forcing them to walk further for fuel and water and degrading their subsistence farming land.[9] If the environmental challenge is not considered and met, the likely adverse consequences for poor women and their families in the South will be even greater poverty and suffering.

* Violations of women's rights are often justified by **culture, religion and ethnicity**. This has meant that clear violations of guarantees of all forms of rights--political, civil, economic, social and cultural--are frequently not categorised as rights abuses at all, but rather treated as part as part of a culture, religion or the customs of an ethnic group. Such violations then become invisible and, accordingly, are not redressed. This denies women access to the rights guaranteed by the Universal Declaration of Human Rights and points to the importance for women of ensuring the universality of basic human rights.

The **current legal framework of international human rights** serves as an obstacle to women because its definition of universal human rights has not adequately taken into account these and other realities in most women's lives. Many of the issues of immediate and central concern to the protection of women's right to life and dignity have not been defined as issues of human rights.[10] Accordingly, the dominant human rights institutions and bodies have not generally addressed women's particular concerns as human rights. Further, the current human rights framework, cast as it is in terms of individual rights, offers little redress where there is pervasive and structural denial of rights, which is often the case where women are concerned.

4. INTERNATIONAL LEGAL PROTECTION OF WOMEN'S HUMAN RIGHTS

International human rights instruments guaranteeing the individual basic rights emerged out of a political discourse in which women, by and large confined to the domestic sphere, played an insignificant role. Nonetheless, since the United Nations Charter all major human rights instruments have prohibited discrimination on the basis of sex.

The United Nations Charter and human rights treaties which contain guarantees of equality or non discrimination do not, in general terms, create rights for women that are specific to them as women, but offer them the opportunity to exercise rights on the same basis as men which are universally recognized and inherent in all people because of their common

humanity. Accordingly, these instruments envisage the human condition as "gender free" and, essentially, confer on women the right of being placed in the same situation as men in all those facets of life addressed by the particular treaty. The human condition, however, is not "gender free" or"gender equal." So, although there are some aspects of life which are common to women and men and where women seek the same rights as men, the human condition for women and men is often quite different.

In all societies, the bearing and suckling of children is the exclusive province of women, and in most, certain functions connected with the family are reserved for women.[11] Thus, women have near total responsibility for child and family care, household management and subsistence farming. The human condition for most women, accordingly, is to be a child bearer and carer, worker in the home or agriculture, for little or no remuneration and, increasingly, as a result of economic crisis, civil war, national disturbance or environmental catastrophe, in adverse conditions. The human condition for men, on the other hand, is very different. In general, most men live a far more "public" existence, where they work outside the home for remuneration and where their central concerns are, to a great extent, bound up with the assertion of civil, political, economic, social and cultural rights within the state.

Although women may be guaranteed the rights enumerated in the core human rights instruments on an equal basis with men, this has little meaning because these rights have been defined in relation to the lives of men which bears little relation to the lives of the majority of women. The reality of the lives of many women suggests that rights that women wish to assert are those to autonomy and equality within the family, to freedom from gender based violence, to conditions for healthy reproduction, to sufficient economic resources for themselves and their families and to shelter. Beyond these interests, most women wish to assert rights to a sustainable living environment, peace and, in the event of disaster, humanitarian aid. It might be asserted, thus, that a rights regime relevant to the majority of women is one which provides guarantees of social justice in private life and promotes the collective interests of humanity in a way that takes into account the particular perspectives of women.

The concept of human rights is, however, an elastic one, capable of expansion and redefinition to accommodate shifting needs. The question in this context, therefore, is whether the current human rights framework has the capacity to move beyond its gender biased stance to respond to the true concerns of women?

Examination of the workings of the dominant human rights institutions within the United Nations, reveals little evidence of redefinition and expansion of the concept of human rights to take account of the concerns of women. With the obvious exception of the Committee on the Elimination of Discrimination Against Women, there has been general failure to consider gender as an important dimension in defining the substantive content of human rights. This has meant that when rights are defined in gender neutral terms, and do not refer specifically to women, there is little recognition by the existing human rights mechanisms that a state's obligation to ensure equal enjoyment of the right by women may require measures which are different from those necessary to ensure that men enjoy that right.[12]

For example, the general comments of the Human Rights Committee, which represent the Committee's view of the content of rights guaranteed under the International Covenant on

Civil and Political Rights and steps that states parties should take to implement those rights, with the exception of the general comment on non discrimination,[13]suggest that the Committee is not sensitive to the fact that women are prevented from enjoying civil and political rights in ways that are different from men. In its general comment on the right to life,[14]for example, the Committee notes that this is a right which has been too often narrowly interpreted and indicates that it imposes on states parties requirements to adopt positive measures, including steps to reduce infant mortality and to increase life expectancy. Yet, the Committee makes no reference to the particular obstacles women face to the exercise of this right. No mention is made of gender based violence, widely acknowledged to be the greatest risk factor in a woman's life; of traditional practices such as female genital mutilation or dowry and bridewealth; of the failure of states to ensure reproductive health or discourage preference for male children which leads to selective abortion, female infanticide and discriminatory access to nutrition and health care.

Again, in its general comment on Article 14, guaranteeing the right to equal treatment before the law,[15]the Committee does not consider the distinct problems both female perpetrators and victims have within criminal justice systems which affect their exercise of this right. Similarly, the Committee's general comments on the right to bodily integrity[16] do not address either the fact that women face obstacles to the enjoyment of this right which are distinct from men or that positive measures to ensure women's equal exercise of this right may be different from those required to ensure men's enjoyment. Also, the General Comment of the Committee on Article 7 of the Covenant, which provides that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment, while citing corporal punishment of children in private schools as meeting the definition of torture and degrading treatment, does not indicate that sexual abuse of women falls within the purview of the Article.

Likewise, the Committee Against Torture has also not considered the implications of gender in the context of torture and other forms of ill treatment. Consideration of recent reports by United Nations thematic and country rapporteurs, reveals that unless the brief to the rapporteur clearly raises the concerns of women--as is the case with the Special Rapporteur of the SubCommission on the Prevention of Discrimination and Protection of Minorities on traditional practices affecting the health of women and children and the Working Group on Contemporary Forms of Slavery and Slave Like Practices--the report will usually fail to canvass issues which impinge disproportionally on women. In other words, these reports, like human rights law generally subscribe to the view that the human condition is identical for men and women or "gender free". This is also evident in United Nations special studies. Thus, for example, two recent sales publications "The Right to Food as a Human Right"[17] and "Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief",[18]although concerned with subjects in which women are faced with singular difficulties, make only occasional reference to women or the gender specific issues that surround their subjects.[19]

Despite these examples, the interests of women have not been entirely ignored by human *rights mechanisms*. Attention has been given to women who have been the victims of violations of guaranteed rights enumerated in the core instruments and to women who have been denied such rights on the same basis as men. Women who have been tortured by state officials, women threatened with arbitrary deprivation of life, and women who have suffered

other violations of their civil and political rights have been given attention. So also have women who have been denied rights enumerated in human rights treaties on an equal basis with men. Thus, in its review of states parties reports, the Human Rights Committee has raised questions concerning sex discrimination and a number of communications under the First Optional Protocol to the International Covenant on Civil and Political Rights have related to discrimination on the basis of sex. In general, however, these communications have concerned women who have sought the same rights as men in what could be described as "public" areas of life: nationality and immigration law, social security law and legal personality. Particular contexts in which women suffer disproportionate violations of rights, such as forced prostitution, trafficking and traditional practices have attracted the attention of human rights bodies and resulted in the appointment of special working groups and rapporteurs.

In general, however, women have received attention not because they have been unable to exercise human rights particular to women, but because they have been unable to exercise rights which pertain to all individuals irrespective of sex or because they have been discriminated against in the exercise of guaranteed rights. **In other words, violations of women's rights have proved to be relevant only in those cases where men in the same position as the women concerned would have suffered the same violations or where women have not been able to exercise rights that men in the same position would have been able to enjoy.**

5. LIMITATIONS OF THE U.N. INSTITUTIONAL FRAMEWORK

There are several reasons why the United Nations institutional framework for the protection of human rights has failed to respond as adequately as it could where the human rights of women are concerned:

a. Male dominance within the human rights establishment

Overwhelmingly, except in the case of the CEDAW Committee, institutions currently charged with the task of implementing human rights standards are predominantly male. For example, most experts serving on treaty bodies are male, while few of the Human Rights Commission's many rapporteurs have been women. Male dominance in the implementation bodies is mirrored by male dominance in the United Nations, in general, and in the bureaucracy established to service the human rights institutions in particular. Thus, although over 40% of those employed in the United Nations are women, most of these are in low status clerical and secretarial positions and there are very few in senior posts. Indeed, despite the presence of Article 8 of the United Nations Charter which obliges the organisation to place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs, there is particular underrepresentation of women in senior posts. The importance of redressing this imbalance has been recognized by Secretary General Boutros Boutros-Ghali in his stated goal of achieving gender parity 50/50 by 1995 when the UN celebrates its 50th anniversary.

Training in gender awareness for all employees is crucial but it will not replace the perspectives that a more gender representative establishment would introduce. Just as the United Nations has appreciated the importance of accommodating the perspectives of various

regions and stages of development in its institutions, so it must appreciate the importance of gender balance. Until such a balance is achieved, the concept of human rights is likely to revolve predominantly around issues of central importance to men, and women's concerns will be secondary.

b. Institutional separation

The institutional structure of the United Nations has created a divide between those bodies charged with the elaboration of the framework and the protection of "human rights"on the one hand, and the Commission on the Status of Women and the Committee on the Elimination of Discrimination Against Women (CEDAW), the treaty body with the responsibility for supervising state compliance with the obligation to address discrimination between women and men, on the other.

As a consequence of this institutional separation of mechanisms to address women's concerns from those which address human rights, the human rights organs tend to avoid issues of concern to women by suggesting that CSW and CEDAW are the appropriate fora for the consideration of such issues. Other consequences of this separation include the lack of contact between mainstream non governmental human rights organizations and women's organizations.

Certainly, both the Commission on the Status of Women and CEDAW have made significant gains in the establishment of a human rights regime that is relevant to the majority of women. These gains are represented not only in various valuable conventions and declarations, culminating in the Women's Convention, but also in the elaboration by the CEDAW Committee, in its general recommendations, of the meaning of discrimination. Nevertheless, it is critical to the protection of women's human rights that gender perspectives and women's concerns be included in the ongoing work of the United Nations Human Rights organs and that mechanisms for better communications be developed between the women's and human rights bodies.

c. *Limitations of the Women's Convention*

Although invaluable, the Women's Convention, now ratified by 121 nations, in its own preamble testifies to the exclusion of women's rights from the vision of human rights and from its theory, jurisprudence and monitoring. There it draws attention to the core human rights conventions which promote the concept of equality of men and women and concludes: "Despite these various instruments, extensive discrimination against women continues to exist".

Further, the Women's Convention itself, like the other human rights instruments, does not define women's rights, nor does it enumerate rights which might be said to be particularly relevant to women. Rather, it establishes programmatic measures necessary for the elimination of discrimination between women and men, defining equality for women as reaching the same standard as men. Moreover, even in the Women's Convention, the rights enumerated, to which these measures are attached, are predominantly rights which men have been historically anxious to assert. Women are, thus, guaranteed equality and freedom from discrimination in political and public life, in citizenship and nationality, education, before the law, health care and in work. Some appreciation of the different world of women is, however, revealed in Article 5, which directs states parties to modify social and cultural patterns of behaviour based on the idea of the inferiority or superiority of the sexes and Article 16, pertaining to equality in the family. But, in general, the Women's Convention, like other human rights treaties, draws little distinction between the human condition of

women and men, ignores the fact that women and men often operate in different worlds and that the world of women and their role in it are undervalued.

Not only does the Women's Convention fail to enumerate distinct rights for women, but also the experience of the Convention has proven that its promise for women is more apparent than real. Thus, although the Women's Convention counts, by virtue of ratifications as one of the most popular of all international agreements, it has the distinction of being the treaty to which countries have entered the greatest number of substantive reservations. Indeed, some of these reservations strike at the heart of the concept of equality between men and women and thus to the very foundation of the instrument, thereby blatantly divesting women, not only of protections promised by the Women's Convention, but of other human rights instruments. Other reservations preserve states parties' power to allow discrimination in the context of the family, by preserving discriminatory laws, practices and patterns of behaviour and thus eliminate protection in the very sphere where rights for women are of central importance.

Certainly, the issue of reservations to the Women's Convention has attracted the concern of the CEDAW Committee, but at present there is no process for the rejection of reservations which are considered to be incompatible with the purposes of the Convention.[20] Further, the implementation procedure of the Women's Convention is confined to a supervisory treaty body, the CEDAW Committee, which monitors the states parties' reports on implementation of the Convention. The Committee has no real power to demand that recalcitrant states submit reports and has no mandate to sanction states who are in breach of the provisions of the treaty. The treaty contains no provisions for resolution of either interstate or individual complaints, issues of particular significance in the light of the fact that the communications procedure with respect to the Commission on the Status of Women has proven to be ineffective. The CEDAW Committee has no investigatory or enforcement powers and NGO's have no formal status or powers under its provisions. Again, although listed among the major human rights instruments, the Women's Convention is largely ignored by lawyers and political scientists developing the jurisprudence of human rights or absorbing human rights standards into national law. Finally, and importantly, the Women's Convention and the CEDAW Committee, like the Commission on the Status of Women, have been plagued since the outset by discriminatory resource allocation. Thus, the CEDAW Committee's meeting time has been shorter than any other comparable treaty body and provision for servicing the Committee has, in comparison with the other human rights bodies, been limited.

6. THE LIMITATIONS OF THE LEGAL FRAMEWORK FOR WOMEN

There are, however, more fundamental reasons why areas of particular concern to women have not featured as a central part of the general human rights discourse. These arise out of the doctrinal framework of international human rights law and concern three areas: first, substantive definition of legal rights and concepts in many international instruments exclude the central concerns of women; second, the traditional prominence given by human rights mechanisms, in particular, and the human rights establishment, in general, to civil and political rights has served to marginalise economic, social and cultural rights, which are of greater relevance to many women and third, the focus of the doctrinal framework of human rights analysis on direct state violations of individual rights excludes many violations of women's rights from the rubric of human rights.[21]

a. Definition of substantive human rights norms

Substantive definition of legal rights and concepts in varying international instruments, essentially reflect the life of a man in a world of men. Accordingly, much of women's experience of violation has been excluded from the rubric of human rights. A number of examples illustrate this.

The right to be free from torture is not only a norm of customary international law and recognized in all international lists of civil and political rights, but also the subject of a specialised United Nations treaty. There, the definition of torture is defined as acts "inflicted by or at the instigation of or with the consent of or acquiescence of a public official or other person acting in an official capacity", a definition which excludes many women's experience of torture. Certainly, a growing number of women are subject to torture instigated by or inflicted with the acquiescence of public officials.[22] The majority of women who are abused, however, experience victimisation at the hands of private individuals, often male members of their own families,[23]which is frequently, facilitated by the maintenance of a social, cultural or legal structure by the state which tolerates such victimisation. Thus, torture as defined currently fails to encompass, for example, violence in the family, which is trivialised in many legal systems and regarded by some states as culturally acceptable, or sexual assault, which many states fail to acknowledge as a serious issue, warranting legal and administrative action. The definition, further, excludes the growing incidence of apparently random, but very often, systematic, acts of violence directed at women in situations of economic, civil and political turmoil or during international and civil warfare.[24]

Again, the 1951 Convention Regarding the Status of Refugees defines a refugee as a person who is outside of, or unwilling to return to, that person's country "owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion". Many women claiming refugee status meet this definition, but it does not include women who claim refugee status because they fear harsh or inhuman treatment because they have transgressed their society's laws or customs with respect to the role of women. Further, women who flee their countries because of severe sexual discrimination either by official bodies or in local communities are not covered by this definition, which requires "persecution", while women who are the targets of military attacks may also find difficulty in showing that they are victims of persecution, rather than random violence. Indeed, even victims of sexual assault by the military or other officials have been

denied refugee status, on the basis that assaults of a sexual nature are matters of a private or individual nature, rather than a pattern of persecution.[25]

Similarly, the guarantees of civil and political rights and economic, social and cultural rights are framed to reflect men's, rather than, women's experience. The right to life, for example, part of international customary law and guaranteed in Article 6 of the Civil and Political Covenant, is concerned with the arbitrary deprivation of life by state action, including extrajudicial and judicial execution and genocide. As currently interpreted, it does not encompass disproportionate threats to women's lives arising from state tolerated gender based violence or state failure to ensure female reproductive health.[26] Also, the right of just and favorable conditions of work in Article 7 of the Economic, Social and Cultural Rights Covenant, with its guarantees of equal pay for equal work, safe and healthy working conditions, equal opportunity for promotion and paid leave is of limited application to work in the informal sector or in the home, where much of women's work is done.

b. Priority given to civil and political rights

Human rights discourse subscribes to the concept of indivisibility and interdependence of civil, political, economic, social and cultural rights and emphasizes the promotion and enjoyment of certain fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms.[27] Traditionally, however, international human rights lawyers and philosophers, predominantly drawn from the West, have given primary attention to civil and political rights, both because the values embodied in such rights accorded with Western intellectual tradition and because these rights more easily lend themselves to precise legal regulation.

The universal realisation of civil and political rights is crucial, but the priority given to these rights has served to marginalise economic, social and cultural rights. This marginalisation has meant that issues of pressing concern to women in their daily lives, such as the impact of development policies or the effect of environmental degradation, which essentially involve the denial of economic, social or cultural rights have been disregarded. Further, the human rights establishment has failed to take into account the economic, social and cultural subordination which inhibits many women from claiming even their basic civil and political rights.

c. The notion of state responsibility

Human rights discourse has generally focussed on direct violations of the rights of individuals by the state. These arise either out of direct actions of the state itself or of its officials which violate the rights of individuals--such as torture, wrongful imprisonment and summary or arbitrary executions--or as a result of discrimination by the state or its agents where the exercise of established rights are concerned. While women also suffer violations of rights at the hands of the state in this direct fashion, in many cases these violations are different in kind or degree because of gender. Thus, for example, sexual violence is frequently used by state officials as a method of torture or by state actors as a method of warfare and female detainees are at disproportionate risk of gender based violence. Similarly, studies indicate that female refugees are exposed to a high risk of sexual and physical violence both during flight and on arrival in refugee camps.

Most violations of the rights of women occur, however, in other more private spheres of life and at the hands of private individuals. Domestic violence, sexual abuse of women in the workplace and elsewhere, trafficking in women and denial of reproductive choice are examples of violations to which women are commonly subjected. These are not directly attributable to the state, although in many contexts, states maintain a legal or social system which tolerates such violations or fails to take positive measures to prevent their occurrence. Also, discrimination perpetrated within the family is not considered a denial of a civil or political right and is not directly attributable to the state, although again, many states maintain a cultural context which legitimises such denial of rights.

In a growing number of situations, humanitarian and human rights law extends to violations by non state actors. Common Article 3 of the Geneva Conventions requires both non governmental and governmental forces to respect a set of minimum guarantees in conflict situations and an increasing number of treaties, including the 1979 United Nations Convention on the Rights of the Child, impose explicit duties on the state to prevent violations by private persons.

However, most human rights instruments do not include explicit duties, although many provide that a state must not only respect the rights enumerated in the treaty, but also "ensure" that they can be exercised. Decisions of the InterAmerican Court of Human Rights[28]and the European Court of Human Rights[29]indicate that in certain circumstances enumerated rights within human rights treaties impose positive obligations on contracting states to ensure effective enjoyment of rights, but there is little clarity in this area of the law.[30] Clearly the international community must expand the conception of human rights to encompass abuses by non state actors, at least in circumstances where state complicity and responsibility can be discerned, in order for the vision of human rights to meet the needs of most women.

7. RECOMMENDATIONS

While the framework of international human rights, thus, currently limits women's access to human rights, it is flexible and can be adapted to accommodate women's needs. Some measures that would lead in the direction of more effective protection of women's human rights include:

a. Priority themes

In its work on human rights, the United Nations should give priority consideration to the previously discussed obstacles to women's exercise of their human rights:

* violence against women in all its manifestations;
* misguided development visions and strategies;
* structural adjustment policies;
* violence against and displacement of women in situations of political, economic, and civil upheavals and in times of armed conflict;
* denial of health care and reproductive choice;
* environmental devastation;
* the use of culture, religion and ethnicity to deny women's human rights.

b. A gendered perspective on human rights

In the context of women, the work on the Draft Declaration on Violence Against Women indicates that rights which are closely related to women's lives are now being elaborated. It is encouraging to note that this Declaration appreciates that improvements in the status of women are not merely dependent on the elimination of discrimination in areas which have traditionally been seen as coming within the sphere of human rights, but also depend on conferring on women rights in areas which affect them particularly.

A wider spectrum of violations could come within the framework of human rights abuses if its definition were to move beyond strict ideas of state responsibility to examine the activities of non state actors, particularly in those contexts where the state maintains an economic, social, cultural and legal structure wherein such violations are tolerated. Such a shift of focus would accommodate, for example, claims by women that their human rights were violated where states failed to criminalise acts of domestic violence or failed to prosecute crimes against women perpetrated by family members.

Also, the vision of human rights might better accommodate the interests of women if the focus of the international human rights community moved beyond strictly civil and political rights to focus on economic, social and cultural rights and the so called "third generation" or collective rights.

A gender specific perspective is also important in the interpretation of the Covenant on Economic, Social and Cultural Rights, and was demonstrated by the Committee in its General Comment on the right to adequate housing, made in 1991,[31] which recognized women's particular needs in relation to this issue.

Much more work is required to incorporate the concerns of women into the formulation of the "third generation" or collective rights. The 1986 Declaration on the Right to Development, placed the human being in the centre of the development dynamic, but draws no distinction between the economic position of women and men and assumes that development policies will benefit women and men equally. Certainly, the right is formulated on the basis of non discrimination and in accordance with the values of equal opportunity and there is a provision requiring active measures to be undertaken to ensure that women have an active role and are equal beneficiaries in the development process. However, the background of the right is a definition of development which stresses economic growth and theories that suggest that underdevelopment is caused by lack of capital, technology and economic dependency. Little account is taken of the crucial role of women in development, the adverse effect many development strategies have had on women in the South and the unlikelihood of economic, let alone human development, in situations where women are subordinated and marginalised.[32]

Accordingly, although the elaboration of "third generation" rights appears to offer women international legal rights which are more appropriate for their needs, unless this elaboration takes account of the position of women and their perspectives, the promise these rights offer will remain unfulfilled. The right to development, must truly encompass a right to human development, taking into account the crucial role of women in country economies, the disparate and adverse impact of development policies on women and the particular obstacles in women's lives, which include lack of access to economic resources or information, gender based violence, lack of reproductive choice, illiteracy and lack of education.

In order to make the concept of human rights a vision which is truly relevant to women, it must be redefined and enlarged to take account of the gender component. Thus, for example, current human rights law and practice could seek to enlarge the conceptual analysis of well recognized rights, such as the rights to life, food, physical integrity and freedom from torture to encompass gender specific violations. The definition of war crimes must take account of specific violations against women, such as sexual violence in war. The definition of who can be granted asylum and refugee status must be reconsidered to include women fearful of gender discrimination in their country of origin. Any "index" or measure of states' compliance with human rights standards or "human development" should encompass an analysis of how far the rights of women are protected and promoted. Thus, any state which maintained a societal structure which tolerated or encouraged gender based violence would score less, although it might entitle its citizens to other well recognized civil and political rights.

c. Strengthening mechanisms for the enforcement and monitoring of women's human rights.

Incorporating gender perspectives into the definition of rights is crucial, but women's human rights must also be enforceable in some way. The enforcement of international human rights law, in general, is problematic, but the greatest difficulties in enforcement occur in the area of rights which might pertain to women. Certainly, if the violation meets the definition of "discrimination", the Human Rights Committee may have jurisdiction within the terms of its First Optional Protocol and, thus, individuals may seek redress. Accordingly, wide

interpretation of the meaning of "discrimination", so as to encompass women's concerns, is essential.

The Women's Convention has no enforcement mechanism beyond a reporting obligation and many states parties have failed to comply with this requirement. There is no provision for individual or interstate complaint. Similar treaties, such as the Convention on the Elimination on All Forms of Racial Discrimination, allow for individual petition, so an Optional Protocol, along the lines of the First Optional Protocol to the Covenant on Civil and Political Rights to provide a means of redress for victims of violations and an avenue for furthering interpretation and application of the Convention should be introduced.

Currently, there are no effective mechanisms for enforcement of economic, social and cultural rights and the developing "third generation" rights. Such would be essential in the provision of a proper rights regime for women. In this context, enforcement mechanisms that might be considered could include a complaints procedure under the International Covenant on Economic, Social and Cultural Rights. Moreover, new and innovative mechanisms should be explored. These could include, for example, special rapporteurs on specific rights which are of particular concern to women or issues which disproportionately affect them. Special rapporteurs on a variety of topics, including gender based discrimination, violence against women, trafficking in women and children, political participation of women, the use of culture, religion and ethnicity to legitimize violations of women's human rights should be seriously considered.

d. Strengthening CEDAW and CSW

It is essential that women's rights should become central in human rights discourse, but this is not to suggest that those bodies which are dedicated to women's rights should be dismantled. What is being suggested is that the human rights community should become more responsive to the difference in the human condition of women and men and interpret human rights and measures for their promotion and protection accordingly.

At the same time, the status of those fora specializing in issues concerning women should be raised. Urgent consideration of the wide number of substantive reservations to the Women's Convention is required, as are measures to reverse them. Time and resource allocation for the CEDAW Committee should be equal to that of the other treaty bodies, thus testifying to the importance of CEDAW within the human rights framework. Consideration should also be given to the introduction of sanctions for those states parties to CEDAW who fail to report, which might include the power to request reports from relevant NGO's.

Concrete, structured and formal measures should be introduced to ensure regular sharing of information between CEDAW and CSW and bodies such as the Human Rights Commission, the Human Rights Committee, the Committee on Racial Discrimination and the Committee on Torture, that are charged with promoting and protecting human rights in general. For example, the regular meetings of the Chairpersons of the treaty bodies should be institutionalized and strengthened. All treaty bodies, working groups, thematic rapporteurs and independent experts which have a role in the protection of human rights should be required to address issues of women's human rights that fall within their mandates. Specialised agencies of the United Nations and other branches of the Organisation whose

work bears on the implementation of women's human rights should be encouraged to contribute to the work of those fora dedicated to women's issues and those charged with the promotion and protection of human rights in general. In this context, measures should be formalized to facilitate this cross contribution.

e. Cross-sectoral and government/ NGO collaboration

Much of the work for the protection and promotion of human rights is based in collaboration between non governmental organizations and the United Nations and much of the progress on women's rights has been as a result of non governmental organisation activity. A gendered perspective on human rights is likely to be encouraged by cooperation between those NGO's whose primary concern has been with human rights and those mainly concerned with women's rights. Traditionally, human rights NGO's, like the human rights establishment in general, have paid little attention to the concerns of women, and women's organizations have little expertise in traditional human rights work. Non governmental organizations with expertise in the area of women's rights should have access to structures and activities relating to human rights and non governmental organizations with expertise in human rights should be encouraged to work with fora in the United Nations which relate to women. In particular, NGOs should be given a clear and formal role, provided for in the rules of procedure, in monitoring the implementation of CEDAW.

f. Gender balance within the human rights establishment

Only when more women are involved in the discourse and they represent the differing perspectives and realities of women globally will a fuller perception of the human rights vision emerge. Women should be, at least, equally represented on United Nations human rights bodies, including treaty committees and working groups. Women should be, equally represented in professional positions in the Human Rights Centre, UNHCR and other human rights organs and specialized agencies of the United Nations.

g. Training in gender issues

The personnel of United Nations human rights bodies, including treaty committees and working groups as well as officers in the United Nations should receive gender training. Manuals for action incorporating gender perspectives for such personnel should be developed and utilized and the effect of such training should be monitored regularly. Any human rights training carried out by the United Nations at international, regional and national level should include consideration of the gender dimensions of all human rights concerns and the work of CEDAW and CSW as mechanisms to promote guarantees of human rights for women.

The United Nations could also consider the preparation of a training manual from a gender perspective, to be used at the national level, which outlines means of accessing the United Nations human rights mechanisms and, drawing on developments in various national legal systems, explores the possibilities of using international human rights guarantees in the domestic context. This manual could be used internationally, regionally and nationally and would serve to acculturate judicial officers and lawyers generally to international standards which exist to advance the position of women.

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UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/61/Add.18
29 April 1993

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Fourth session
Geneva, 19-30 April 1993
Agenda items 5 & 9

STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

CONSIDERATION OF THE FINAL OUTCOME OF THE WORLD CONFERENCE, TAKING INTO CONSIDERATION THE PREPARATORY WORK AND THE CONCLUSIONS OF THE REGIONAL MEETINGS

Note by the Secretary-General

1. The General Assembly, in its resolution 45/155 of 18 December 1990 requested, among others, the specialized agencies, other international organizations, and concerned United Nations bodies, to assist the Preparatory Committee and to undertake reviews and submit recommendations on the World Conference and its preparation to the Preparatory Committee through the Secretary-General and to participate actively in the Conference. The Assembly renewed that request in its resolution 46/116 of 17 December 1991, in which it also requested the Secretary-General to encourage initiatives at the national, regional and international levels designed to make the World Conference process a success and to provide the Preparatory Committee with all necessary assistance.

GE.93-13337

2. Pursuant to those requests from the General Assembly, the Secretary-General of the World Conference convened on 26 April 1993, a meeting of consultation with representatives of concerned United Nations bodies and Specialized Agencies to inform them of the progress made in the preparations for the World Conference and to discuss their contributions to the World Conference and its final outcome. The following were represented at this meeting of consultation:

Centre for Social Development and Humanitarian Affairs (CSDHA), United Nations Childrens' Fund (UNICEF), United Nations Conference on Trade and Development (UNCTAD), United Nations Development Programme (UNDP), United Nations Volunteers (UNV), United Nations Development Fund for Women (UNIFEM), United Nations Environment Programme (UNEP), United Nations Population Fund (UNFPA), United Nations Institute for Training and Research (UNITAR), World Food Programme (WFP), United Nations High Commissioner for Refugees (UNHCR), United Nations Research Institute for Social Development (UNRIS), International Labour Organization (ILO), Food and Agriculture Organization of the United Nations (FAO), United Nations Educational, Scientific and Cultural Organization (UNESCO), International Monetary Fund (IMF), World Health Organization (WHO) and International Telecommunications Union (ITU).

3. A number of participants drew attention to the submission made by their organization or body to the preparatory process; a list of such submissions is set out in annex II.

4. Many representatives expressed the readiness of their respective organization or body to continue their close collaboration with the World Conference process and to contribute to its final outcome. It was recognized that the concerned United Nations bodies and Specialized Agencies by reason of their specific mandates, their ongoing activities and their experience had an important contribution to make to the final outcome of the World Conference and the implementation of the decisions adopted by the Conference. The Secretary-General of the World Conference in this regard, was requested to facilitate the continuing contribution of the concerned United Nations bodies and Specialized Agencies. The consideration by the Preparatory Committee of the final outcome of the World Conference was discussed and the various documents relating to that matter were referred to, including the results of the three regional meetings held at Tunis, San José, and Bangkok, contained in the respective reports (A/CONF.157/PC/57, 58 and 59) and the working paper annexed to document A/CONF.157/PC/82. A number of representatives expressed the desire to comment on the final outcome and in particular the working paper as part of their continuing contribution to the World Conference and its preparatory process.

5. Annex I contains the comments submitted to the Secretary-General. General comments were submitted by the Centre for Social Development and Humanitarian Affairs, the United Nations Development Programme and the International Telecommunications Union. Specific comments on the draft final document were submitted by the Centre for Social Development and Humanitarian Affairs, the United Nations Children's Fund, the United Nations Conference on Trade and Development, the United Nations Development Fund for Women, the United Nations Population Fund, the Office of the United Nations High Commissioner for Refugees, the International Labour Organization and the International Telecommunications Union.

6. An informal working group of United Nations bodies and specialized agencies (CSDHA, UNICEF, UNDP, UNIFEM, UNFPA, UNHCR, ILO, ITU) held two meetings on 27 and 28 April 1993 to discuss the various proposals. During these meetings specific attention was given to the aspects touching system-wide United Nations activities for human rights and additional proposals were made. The members of the informal working groups expressed their willingness to continue to submit comments and recommendations during the preparatory process.

Annex I

COMMENTS MADE BY SPECIALIZED AGENCIES AND CONCERNED UNITED NATIONS BODIES RELATING THE FINAL OUTCOME OF THE WORLD CONFERENCE

PART ONE : COMMENTS OF A GENERAL NATURE

A. Contribution of the International Telecommunications Union.

On 17 May next, less than one month before the World Conference on Human Rights, the Member countries of the ITU and the international community as a whole will be celebrating World Telecommunications Day on the topic "Telecommunications and Human Development".

Over and above a simple question of timing, the coincidence of these two major events serves to illustrate the substantive link between human rights and telecommunications. Telecommunications have permeated all human activities, bringing significant political, economic, social and cultural benefits to the human race.

At the political level, telecommunications enable individuals to exercise their rights to freedom of expression and access to information. The appropriation by society of communication media is consubstantial with democracy.

At the economic level, telecommunications foster greater productivity and competitiveness in all sectors of the economy.

At the social level, telecommunications ensure that social services (transport, education, public health) can operate efficiently. They play a crucial role in opening up isolated areas, coping with natural disasters or conflicts and assisting people in distress.

At a cultural level, telecommunications promote exchanges and contribute to furthering the ideals of peace and mutual understanding.

It has to some extent become a platitude to state that the information age is upon us and that telecommunications have taken on new significance. They have become, to use a standard expression, the backbone and nervous system of the world information society. Economic globalization is already a reality, and the networks of the future will no doubt have an impact on all areas of social activity (telework, teleteaching, etc.)

To the World Communications Advisory Council, telecommunications constitute a "fundamental social infrastructure" - perhaps the most important infrastructure of the information age"..."A global approach to telecommunications development is necessary therefore in the interest of both the developed and developing countries".

Meeting at Geneva in December 1992, the representatives of 144 States acknowledged these developments and gave ITU a mandate to "promote, at the international level, the adoption of a broader approach to the issues of telecommunications in the global information economy and society...".

Established in 1865, the International Telecommunications Union is the oldest intergovernmental organization. It was created in response to State's need to communicate more rapidly.

Since then the ITU has consistently focused its efforts on establishing a technically efficient world telecommunications infrastructure, through the development of universal standards promoting the interconnectivity and interworkability of telecommunications systems throughout the world, which is thus gradually becoming a global village reaffirming the ideals of peace, cooperation and progress to which the human race has never ceased to aspire.

However, the inhabitants of this global village are - and will no doubt long continue to be - subject to serious inequalities.

As long ago as 1984, the Independent Commission for Worldwide Telecommunications Development (Maitland Commission) concluded, in its report "The Missing Link" that "the gross and growing imbalance in the distribution of telecommunications throughout the world was not tolerable". For example, there are more telephone sets in Tokyo alone than in the whole of Africa with its 500 million or more inhabitants.

After emphasizing that telecommunications is "a key factor in economic, commercial and social activity and ... a prime source of cultural enrichment", the authors of the report go on to say that "neither in the name of common humanity nor on grounds of common interest is such a disparity acceptable" ... "It cannot be right that in the latter part of the twentieth century a minority of the human race should enjoy the benefits of the new technology while a majority live in comparative isolation."

Despite the interest aroused by these conclusions and the action undertaken by the ITU in cooperation with other international organizations in order to reduce the inequalities, there are still parts of the world where there is less than one "main subscriber line" per 100 inhabitants.

This type of exclusion, which was condemned by the Maitland Commission, is undoubtedly an impediment to the achievement of human rights objectives. Given the role played by telecommunications in furthering the cause of human rights and their exercise in practice, it would appear to be a matter of basic necessity for the international community to recognize each individual's right to communicate, that rights being interpreted as the right of access to telecommunications services.

B. Comments by the United Nations Development Programme on the working paper annexed to document (A/CONF.157/PC/82): Elements for consideration for possible inclusion in a draft final document.

UNDP welcomes the contribution to the outcome of the conference by the Secretary of the World Conference on Human Rights (A/CONF 157/PC/82) and, along with other parts of the UN System, UNDP will work to promote the recommendations for technical assistance that might be forthcoming from the World Conference.

To date, UNDP has worked in several countries in all world regions, together with UNCHR and the UN's Electoral Assistance Unit to respond to government requests for technical assistance in development activities linked to democracy and human rights. This field experience reveals a growing understanding of the all-encompassing nature of human rights in their social, economic, cultural, civil and political dimensions and their importance in sustaining development for present and future generations.

The working paper makes suggestions for indicators in Principle 16 (p. 8) and Paragraph 6 (p. 17). UNDP believes that the absence of indicators makes project design and evaluation more difficult. All international cooperation assistance flows -bilateral and multilateral, as well as capital and technical - may eventually include indicators to assess progress in the implementation of human rights targets. The point should also be made that such indicators should be culturally appropriate.

As regards the draft programme of action, Paragraph 7 "recommends that human rights officers be assigned to regional and eventually other offices of the Organization with the primary purpose ..." While it is of course the prerogative of the UNCHR to provide support as requested by governments, any joint programme with UNDP in response to government requests should, given UNDP's development mandate, be handled in the same manner as other technical assistance programmes.

UNDP welcomes the proposal to designate the Centre for Human Rights as focal point and coordination unit to facilitate "system-wide action in the field of human rights", as is stated in paragraph 8. However, we suggest that paragraph 9 be deleted, and replaced by the following, "UNCHR should establish specific working arrangements with UNDP as well as with other parts of the UN system, based on their comparative advantage, so as to achieve coordination and to avoid duplication of effort. There should be a very clear division of labour throughout the UN system between the normative work required and the technical assistance to support its implementation".

In Part III, paragraph 3, we suggest adding the phrase "in response to government requests". In paragraph 5, we suggest that the wording be changed from "should play a major role " to "be enabled to play a major role". As regards paragraph 6, we would repeat the comment made on Principle 16 above.

C. Recommendations of the Centre for Social development and Humanitarian Affairs concerning the draft final document.

Women

- appointment of special rapporteur on violence against women as a part of the request for a more responsive and effective e enforcement mechanism, especially addressing violence of women's rights.

- emphasizing the importance of women's participation on an equal footing in all branches of government.

- stressing the importance of women's equal access to all developments activities

- recommend that the Declaration on the Elimination of Violence against women be taken into account by the World Conference.

- include gender-approach in all human rights bodies and instruments in their monitoring and implementation work.

- balance between men and women serving on human rights treaty bodies has to be improved.

- need to place the Committee on the Elimination of Discrimination against women on the same footing with other human rights treaty bodies.

Crime Prevention and Criminal Justice

- Reaffirm the importance of the full and effective implementation of United Nations standards in crime prevention and criminal justice;

- Underline the need for further coordination and concerted action in translating these standards into practice;

- encourage the provision of the necessary budgetary support to United Nations bodies working on the promotion and protection of human rights in the administration of justice and on the implementation of United Nations standards in this field;

- in particular, support funding of the human rights programme and the programme on crime prevention and criminal justice to enable them to strengthen and coordinate activities in this field, with a view to undertaking joint programmes and developing collaborative mechanisms.

Family

- Recognition and Reaffirmation of the rights and responsibilities of the family as a social unit.

- Promotion of concepts regarding the family and intra-familial relationships that are consistent with basic human rights and equality of genders so that respect for human rights will be learned and practised in the family.

- Inclusion in the agenda of its session of the Commission on Human Rights consideration of the principles and objectives of the Year of the Family.

PART TWO: SPECIFIC COMMENTS AND RECOMMENDATIONS RELATING TO THE WORKING PAPER ANNEXED TO DOCUMENT A/CONF.157/PC/82.

A. Preamble

Seventh preambular paragraph

- After the words 'field of human rights' add the following "and to increase coordination among supervisory bodies within the United Nations System".

- Remove the word 'standards' at the end.

(ILO)

B. Principles

Principle 1.

Start with 'The promotion and protection of human rights of women, men and children.

(UNIFEM, CSDHA, UNICEF, UNFPA, ILO)

Principle 2.

Remove the following worlds 'further enhance the coordination of' and substitute the word 'base' and add after the word standards, "and that they strengthen coordination among them for this purpose".

(ILO)

Principle 3.

Reword the 4th sentence 'The exercise of any human right by women, men and children must not be denied because the full enjoyment of other rights has not been achieved, nor because of religious or cultural intolerance.

(UNIFEM, UNICEF, CSDHA, UNFPA)

Add after the third sentence: "Respect for political and civil rights stimulates the creativity, innovation and initiative necessary for a dynamic development process, whilst the latter is indispensable for the fulfilment of economic, social and cultural rights."

(UNCTAD)

Principle 5.

At the beginning of the fourth sentence, drop the word "democratic".

The following redraft is suggested,

Democracy is an essential condition for the full and effective enjoyment of all human rights and a main condition for genuine and sustainable development. Democracy is based on the freely expressed will of the people and their full participation in deciding on all aspects of their lives.

(a) The international community should give full support to the action of the United Nations system for the strengthening and spreading of democratization throughout the world.

(b) Governments must make every effort to ensure the effective enjoyment of human rights by their peoples.

(c) Human rights problems must not be used as a pretext to avoid political and/or socio-economic cooperation.

(ILO)

Reword the 2nd sentence 'Democracy is based on the freely expressed will of the people and the full participation of women and men in all political processes.

And add as a last sentence 'True democracy, human rights and peace are incompatible with poverty and all forms of exploitation.

(UNIFEM, CSDHA, UNFPA)

Principle 6.

Substitute "achievement" for "enjoyment". (ILO)

Add after the second sentence: "Broadly based development is a sine qua non condition for a sustainable democratic process, whilst participatory development provides essential underpinning for the process of democratization and the full realization of all human rights".

(UNCTAD)

Principle 7.

The first line should read "It is essential to create...." (ILO)

Principle 8.

The words "political or other opinion, national or social origin, property, birth or other status" from Article 2 of the Universal Declaration should be added to the first sentence. The second and third sentences dealing with racial discrimination should be dealt with separately.

(ILO)

The word "age" should be added to the list of types of discrimination in the first sentence.

(UNIFEM, CSDHA, UNICEF, UNFPA)

Principle 9.

The principle should be redrafted as follows (additions or changes underlined)

The human rights of women are an inalienable, integral and indivisible part of universal human rights. The equal participation of women in the political, civil, economic, social and cultural life, at both national and international levels, and the eradication of all forms of hidden or overt discrimination on grounds of sex are priority objectives. One of the symptoms of the lack of equality between women and men is gender based violence which must be eliminated together with all forms of sexual exploitation. The human rights of women and of the girl child should form an integral part of the United Nations Human Rights Programme.

(UNIFEM, CSDHA, UNICEF, UNFPA)

To the third sentence, add the underlined phrase:

Gender-based violence, including the use of violence against women and girls as a method of warfare and a means of forcible displacement, and all forms of sexual exploitation must be eliminated.

(UNHCR, UNICEF)

Principle 9 should be placed ahead of Principle 8.

(ILO)

Reword the last sentence (changes underlined): "The human rights of women and the girl-child should form an integral part...".

(UNICEF)

Principle 10.

To the first sentence, add nationality between the words "identity" and "non-discrimination".

To the second sentence, add and mass exoduses between "prevention of conflicts" and "requires more active".

(UNHCR, UNIFEM)

After the word 'minorities' remove the word "and" and add, "including" and after the word 'indigenous' add "and tribal" and after the word peoples, add "respecting".

The last sentence should be dealt with separately.

(ILO)

Principle 11.

In the first sentence after the word 'indigenous' add "and tribal".

In the second sentence replace 'indigenous' by "those".

Add final sentence "States are urged to ratify and apply the international instruments which have been adopted for the protection of these peoples and the promotion of their interests".

(ILO)

Principle 12.

Para. should be reworded:

"The World Conference, welcoming the unprecedented success which the Convention on the Rights of the Child has enjoyed through the early ratification by a large number of States and noting the historic watershed in the recognition of the human rights of children in the Declaration and Plan of Action adopted by the World Summit, urges universal ratification of the Convention by 1995 and

its effective implementation through the adoption of all the necessary legislative, administrative and other measures and the allocation to the maximum extent of the available resources. National and international mechanisms and programmes should be established for the defense and protection of children and adolescents, in particular, the girl-child, abandoned children, street children, economically and sexually-exploited children, children victims of AIDS, refugee children, children in armed conflict, as well as children victims of silent emergencies. International cooperation and solidarity should be promoted to support the implementation of the Convention and the rights of the child should be a priority in the United Nations system-wide action on human rights."

(UNICEF)

Principle 12. bis.

A new principle, to be inserted after Principle 12.

Aware of the human rights problems represented by massive and increasing numbers of forcibly displaced persons, the World Conference reaffirms the importance of providing international protection to refugees, calls upon all States to refrain from creating conditions which generate flows of refugees and displaced persons or which impede their voluntary return, and urges States to respect the right to seek asylum, and to accede to international and regional refugee instruments.

(UNHCR)

Principle 13.

The paragraph should read as follows (additions or changes underlined):

Utmost importance must be given to the promotion and protection of the human rights of vulnerable persons, the elimination of all forms of discrimination against them, and the development of additional norms for their protection when necessary. Vulnerability arises if a combination of factors contributing to disadvantage and discrimination occurs. States, therefore, have an obligation to create and maintain adequate measures at the national level, not least in the fields of education, health economic and social support, for the promotion and protection of the rights of these persons in populations who have become vulnerable. The participation of these persons in the solution of their own problems is essential.

(UNIFEM, CDSHA, UNFPA)

After "vulnerable groups", insert the following:

".., such as ethnic, national, racial, religious and linguistic minorities, migrant workers, disabled persons, indigenous peoples, refugees, displaced persons, the extreme poor and marginalized groups, and HIV positive or AIDS developed persons, ..."

(ILO, ITU, UNHCR, UNDP, UNCTAD, UNICEF, CSDHA, UNIFEM)

Principle 13.bis

After Principle 13, insert a new paragraph:

"Increasing poverty represents a direct denial of social and economic rights, whilst it creates tensions in society which negatively affect fundamental freedoms. The Conference recognizes the importance of designing policies, both national and international, aimed at fighting poverty and social exclusion as a most efficient way to promote human rights. It emphasizes the essential role that the forthcoming World Summit on Social Development is called upon to play in this respect."

(UNCTAD, UNDP, UNIFEM)

Principle 14.

To the end of the second sentence, add and the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

(UNHCR)

The limitation to these specific treaties is questioned.

(ILO)

Delete 'and' after 'Racial Discrimination' and add after 'Discrimination against Women' "and the Convention on the Rights of the Child".

(UNICEF)

Principle 15.

The first two sentences should read as follows (additions or changes underlined)

The administration of justice and an independent judiciary, in full conformity with internationally accepted standards, are crucial to the non-discriminatory and full realization of human rights, and indispensable to the process of democracy and development. The attainment of this objective requires substantial investment in the establishment and strengthening of institutions and the training of officials. Governments ...

(UNIFEM, CSDHA, UNFPA)

Add after "must recognize": ".. this and provide the necessary resources and technical assistance to the accomplishment of this task."

(UNDP)

Principle 16.

Remove reference to international labour standards: Comment by ILO - While appreciating the mention of international labour standards, the ILO feels that its standards come with sufficient indicators, especially the coherent and comprehensive supervisory machinery the ILO has in place. Indeed, the degree of implementation of relevant ILO standards is an indicator for Articles 6-10 of the Covenant.

(ILO)

The last part of the 2nd sentence should read (addition underlined):
...'together with a system of sex-disaggregated indicators to measure progress in...'

(UNIFEM, CSDHA, UNFPA)

Principle 17.

Add at the end, "and to ensure that the conclusions of each of them are fully taken into account by the others."

(ILO)

Add the following second sentence:

"However the role of national and international NGOs in establishing and enforcing ethical principles associated with their protection must also be recognised."

Add at end:

"and to co-operate closely with international NGOs concerned with the establishment and enforcement of relevant ethical principles."

(CSDHA)

Last sentence should read: "The Commission on Human Rights, its subsidiary organs and treaty bodies, specialized agencies of the United Nations system, such as ILO and UNESCO, as well as UNICEF, are encouraged to further strengthen their supervisory efforts."

(UNICEF)

Principle 18.

In the first sentence, add forced displacement of populations between the phrases "armed attacks on civilians" and "and the blocking of humanitarian relief".

(UNHCR)

The list of situations should also contain: 'rape and forced pregnancy' and 'trafficking in persons'.

(UNIFEM, CSDHA, UNFPA)

The list of situations should also contain: " systematic rape of women and children".

(UNICEF)

Principle 19.

Should come earlier.

(ILO)

Principle 20.

The second sentence should read (addition underlined): 'Such education shall promote understanding, tolerance and friendship among all nations, racial, ethnic, or religious groups....'

(UNIFEM, CSDHA, UNFPA)

Following the reference to the International Covenant on Economic, Social and Cultural Rights, reference should be made to the Convention on the Rights of the Child.

(UNICEF)

Principle 20. bis (New Principle)

The United Nations system's programme of development assistance should contribute to the realization of and the respect for the human rights standards adopted by the system. The achievement of human rights, democracy and development should be a principal aim of all such assistance.

(ILO, UNIFEM, UNCTAD, UNHCR, ITU)

Principle 21.

Add as second sentence "These should draw on programmes of this kind that already exist in other parts of the United Nations system and among bilateral donors."

Reword the second sentence (changes underlined): '...respect for human rights and fundamental freedoms <u>of both women, men and children</u>.

(UNIFEM, CSDHA, UNFPA, UNICEF)

Add after uphold the rule of law, "enforce ethical principles associated with their protection".

(CSDHA)

After the first sentence, the following should be added: "This should be aimed at building the national capacity to create and support an enabling environment in which democratic institutions can promote and safeguard the respect for human rights."

(UNDP)

Principle 23.

To the second sentence, add <u>assist in preventing conditions which give rise to refugee flows</u> between the phrases "help ensure respect for human rights," and "and remedy violations."

(UNHCR)

Add at end "other bodies at the national level, including strong and independent organizations of workers and of employees, can also make important contributions in this area."

(ILO)

Principle 24.

Add at end "These regional arrangements should reinforce universal human rights standards and protection."

(ILO)

Principle 25.

Add after existing standards, "establishing, promoting and enforcing relevant ethical principles".

(CSDHA)

The last sentence should read: "...their contributions to all human rights activities, namely those undertaken by treaty-monitoring bodies and intergovernmental organizations should be facilitated."

(UNICEF)

At the end, add a new sentence:

"Development NGOs play an essential role in promoting human rights as they are key promoters and facilitators of participatory approaches to development and significantly contribute to poverty alleviation through grass root activities in the economic and social fields."

(UNCTAD)

Principle 27.

Add as a new principle:

Recognizing the importance of telecommunications for the realization of political, economic, social and cultural rights, the World Conference recognizes the right of each individual to communicate and reaffirms that the States have the duty to encourage the best possible access to telecommunication services.

(ITU)

C. Draft Programme of Action

I. United Nations system-wide action on Human Rights.

Para 2.

The first sentence should read as follows:

"Furthermore, the World Conference calls on regional organizations and on international and regional financial and development institutions to incorporate human rights in their work."

(ILO)

Para. 4.

To the first sentence, add refugee, and humanitarian law between "international human rights" and "treaties".

To the third sentence, add refugee, and humanitarian law between "basic human rights" and treaties.

To the fourth sentence, add refugee, and humanitarian law between "human rights" and "treaties".

(UNHCR)

In first sentence add after treaties "adopted by the United Nations and the Specialised Agencies".

In second sentence after Assembly add "and the Specialised Agencies are"

(ILO)

At the end add:

"the competent supervisory bodies should examine all such reservations to assess this compatibility, and should review the situation regularly."

(ILO)

The first sentence should read (changes and additions underlined): ....'accession and succession to <u>all</u> international human rights treaties with the aim of universal acceptance <u>and implementation</u> ...; The last sentence should read: 'Any reservations to and declarations about human rights treaties must be fully compatible with the object and purpose of the treaties concerned, <u>and</u> <u>reservations that are incompatible should be withdrawn.'</u>

(UNIFEM, CSDHA, UNFPA)

Para.5

After treaty bodies add "and the supervisory bodies of the specialized agencies concerned".

(ILO)

Para 6.

The words 'human rights' should be replaced by 'human rights of women, men and children'.

(UNIFEM, CSDHA, UNFPA, UNICEF)

Para 7.

To the second sentence, add <u>refugee, and humanitarian law</u> between "human rights" and "training for international civil servants."

(UNHCR)

Add at end "Such training should draw on the expertise of all the United Nations system bodies concerned."

(ILO, UNHCR)

The last sentence should read (addition underlined): 'Human rights training, <u>including gender awareness</u> ...'

(UNIFEM, CSDHA, UNFPA)

Para 8.

Redraft as follows:

"The World Conference calls for the setting up of machinery for facilitating system-wide action in the field of human rights and endorses the designation of the Centre for Human Rights as focal point for this purpose. The Centre should closely coordinate the human rights activities of bodies of the United Nations, and function as a focal point for developing coherent system-wide action."

(ILO)

Para 8. bis

A new paragraph 8.bis should be added as follows: "The Centre for Human Rights should establish specific working arrangements with UNDP as well as with other parts of the United Nations system, based on their comparative advantage, so as to achieve coordination and to avoid duplication of effort. There should be a very clear division of labour throughout the United Nations system between the normative work required and the technical assistance to support its implementation."

(UNDP)

Para. 9

Replace 'be enabled' by "receive the resources necessary".

(ILO)

II. Equality, Dignity and Tolerance

A. Racism, Racial Discrimination, Xenophobia and Related Intolerance.

Para 1.

Add "the specialised" before 'agencies' in second sentence.

(ILO)

Para 3.

The words "and requests that the Special Rapporteur pay particular attention to their effects on women." should be added at the end of the first sentence.

(UNIFEM, CSDHA, UNFPA, ILO)

B. Minorities and Indigenous Peoples

Add "and Tribal" before 'Peoples' in the title.

(ILO)

Para.1 .

To the second sentence, add at the end: and forced displacement of populations.

(UNHCR)

Para 2.

Should be redrafted as follows:

"The World Conference calls on the Working Group on Indigenous Populations to complete the drafting of a declaration on the rights of indigenous peoples. It endorses the effective mechanisms of the International Labour Organization for the monitoring of its standards on this subject, among others, and encourages the Working Group and other bodies that will discuss the draft Declaration to ensure that it does not fall below the level of ILO standards on indigenous and tribal peoples. The World Conference further encourages other intergovernmental organizations and governments to establish more effective mechanisms for the protection of indigenous and tribal peoples' rights."

(ILO)

Para 3.

The first sentence should read (addition underlined): "...to treat minorities and indigenous peoples, and both women and men belonging to them, on the basis of equality."

(UNIFEM, CSDHA, UNFPA)

C. The Status and Human Rights of Women.

Para 1. (The last sentence should be redrafted as follows)

In addition, existing monitoring bodies should, whenever applicable, include the status and the human rights of women, in particular gender-specific abuses, in their deliberations and findings.

(CSDHA, UNIFEM, UNFPA)

In first sentence the word "system" should be added after United Nations.

In last sentence after bodies "of the United Nations, the ILO and others" should be added.

(ILO)

Para 2.

In the third sentence, add and the use of violence against women as a means of forcible displacement between "murder and rape" and "require a particularly effective response".

(UNHCR)

In second sentence after 'justice' add, "the elimination of discrimination in employment and occupation on the basis of international labour standards".

(ILO)

Para should be redrafted (changes underlined)

"The World Conference stresses the importance of promoting and protecting the equal enjoyment by women of all human rights. In particular, the World Conference emphasizes work geared towards the elimination of sexual exploitation and trafficking in women, the proper treatment of women in the administration of justice, and the eradication of all conflicts which may arise between the rights of women and girls and harmful effects of certain traditional or customary practices and religious extremism. The violation of the rights of women in national and international armed conflicts, including in particular military sexual slavery murder, rape and forced pregnancy requires a particularly effective response and prosecution by an international criminal court. Until such time as this is established the World Conference urges that ad hoc War Crimes Tribunals should be set up."

(UNIFEM, CSDHA, UNFPA, UNICEF)

Para 4.

Should be redrafted (changes underlined)

The World Conference recognises that implementation procedures under the Convention for the Elimination of All Forms of Discrimination against Women must be strengthened. This should include an examination of the possibility by the Commission on Human Rights and CEDAW of introducing the right of

petition by preparing an optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women...

(UNIFEM, CSDHA, UNFPA)

A new sentence at the end of para 4 should be added as follows:

"Further the World Conference recommends that the Draft Declaration on the Elimination of Violence against Women be adopted by the General Assembly."

(UNIFEM, CSDHA, UNICEF)

Para 5.

The first sentence should end "..to guarantee the participation of women."

Another sentence should be added: "The United Nations system should set goals and timetables to secure equal representation of women on all UN treaty committees and among the special rapporteurs and working groups established by the UN Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and under the Programme on Advisory Services in Human Rights, and the supervisory bodies of the specialized agencies."

(UNIFEM, CSDHA, UNFPA, ILO)

Para 7.

Add new para as under:

The World Conference recognizes the importance of the enjoyment of the highest standard of physical and mental health for women throughout their life span, especially during childhood and adolescence, when their right to life and health and their development is threatened due to exploitation, discrimination, abuse, forced pregnancy and lack of educational opportunity. The World Conference reaffirms women's fundamental rights to accessible and adequate health care and safe motherhood as already contained in article 16 of the Teheran Proclamation, in article 12 of the Convention on the Elimination of All Forms of Discrimination Against Women, and reiterated by many international conferences. This includes a woman's right to information, education and access to the widest range of family planning and other reproductive health services. The World Conference recognizes the right of a woman to receive adequate counselling in order to make a free and informed decision.

(UNIFEM, CSDHA, UNFPA, UNICEF)

A new section on Child's rights under Chapter II should be added as follows:

D. First call for children

1. The World Conference reiterates the principles of "First Call for Children" and, in this respect, underlines the importance of major national and international efforts, especially those of the United Nations Children's Fund (UNICEF), for promoting respect for the rights of the child both girl and boy to survival, protection, development and participation. Measures should be taken to achieve universal ratification of the Convention on the Rights of the Child by 1995 and the universal signing of the World Summit Declaration and Plan of Action, as well as their effective implementation.

2. The World Conference urges all States with the support of international cooperation, to adopt and implement national plans of action for children, to combat the devastating effects of loud emergencies, resulting from natural disasters and armed conflicts, which displace, disable and traumatize millions of children, and to address silent emergency situations, including entrenched poverty, disease, illiteracy and inadequate services, which cause many more deaths than the louder emergencies.

3. The World Conference urges all States to strive to achieve the goals for children and development in the 1990s, as contained in the World Summit Plan of Action, including reduction of infant and maternal mortality rates, reduction of severe and moderate malnutrition of children under 5, universal access to safe drinking water and to basic education, reduction of illiteracy rate, and improved protection of children in especially difficult circumstances. Other important targets are the elimination of female infanticide, the elimination of child labour and of the sexual exploitation of children.

4. The World Conference recommends further efforts by states and by the United Nations system, especially the UNICEF, to address the acute needs of children by putting children first in national budgets, official development assistance, development programmes, as well as in the allocation of other resources.

5. The World Conference recommends that matters relating to human rights and the situation of children be regularly and systematically reviewed and monitored by all United Nations system human rights mechanisms, including the Commission on Human Rights, the Commission on the Status of Women, the Commission on Social Development, the Commission on Crime Prevention and Criminal Justice, the treaty-monitoring bodies, special rapporteurs and working groups and the supervisory bodies of the specialized agencies.

6. The World Conference recognizes the important role played by nongovernmental organizations in the effective implementation and in the systematic monitoring of all international human rights instruments and, in particular, the Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination against Women.

7. The World Conference recommends that the Committee on the Rights of the Child, with the assistance of the Centre for Human Rights, be enabled to expeditiously and effectively meet its mandate, especially in view of the unprecedented ratification and subsequent submission of country reports. The Committee should be provided with adequate resources to be in a position to efficiently consider country reports and duly follow up on its recommendations for compliance by Governments, with the assistance of the international community."

(UNICEF, CSDHA, UNIFEM, ILO, UNHCR)

New Section E

A new section on specific groups should be added as follows:

"E. <u>The protection and strengthening of the human rights of other specific groups</u>

1. In addition to those mentioned above, the promotion and protection of the human rights of other specific groups should form an integral part of the work of the United Nations and their situation should form an integral part of the assessment of the need for and the impact of development assistance carried out by the United Nations system, on the basis of international human rights standards.

2. These groups include but are not limited to:

(a) migrant workers and other workers in need of special protection, as defined in international labour standards, the Convention on the Protection of the Rights of Migrant Workers and their Families and the relevant sections of the International Covenant on Economic, Social and Cultural Rights;

(b) refugees, displaced persons especially women and children in need of protection and those living in situations of armed conflict, in accordance with international and relevant regional refugee law and human rights and humanitarian law;

(c) persons with disabilities,

(d) others in need of health care not already available to them, especially HIV positive or AIDS developed persons;

(e) those living in extreme poverty."

(ILO, UNHCR, UNDP, UNTAD, UNIFEM, CSDHA, UNICEF)

III. Cooperation, Development and Strengthening of Human Rights.

Para 1.

At end first sentence added "by the Centre for Human Rights"

At end add :

"This programme of advisory services and technical cooperation should draw on the expertise of United Nations organs and the Specialized Agencies within their respective mandates, should contribute to the advisory and assistance programmes which they carry out, and should be fully coordinated with them" .

(ILO, UNDP, UNIFEM, CSDHA, UNHCR)

Para.2

Add and mass exoduses between "conflicts" and "peace-making"; add at the end of the sentence, and refugee repatriation.

(UNHCR)

Para 3.

Add at the end of the paragraph "in response to government request".

(UNDP)

Para 4.

The second sentence should be reworded as follows:

The strategy could encompass formulation of criteria for the assessment of progress, including the examination of sample projects, introduction of human rights impact statements for projects, programmes and policies affecting human rights, preparation of guidelines aimed at insuring the compatibility between structural adjustment policies and respect for human rights, identification of internal and external obstacles to the enjoyment of the right with a view to overcoming them, and dissemination of wider knowledge about the rights.

(UNCTAD, UNIFEM, CSDHA, ILO)

At end add:

"The development assistance activities of the United Nation system should promote human rights as an integral part of the right to development."

(ILO, UNCTAD)

Para 4. bis

A new paragraph should be added as follows:

This strategy should encompass a broader approach of telecommunications. In this framework, the World Conference calls upon the United Nations system, especially the ITU, to address the challenge of the global information society and recommends further efforts by states to give higher priority to telecommunications in the allocation of resources in order to ensure the right to communicate.

(ITU)

Para 5.

The sentence should read (addition underlined): "The World Conference recommends that non-governmental and other grass roots organizations, <u>including women's, youth and children's organizations,</u> ....

(UNIFEM, CSDHA, UNFPA, UNICEF)

Add after 'should' "be enabled to" and after 'debate' "in consultations on policy formulation".

(UNDP, UNIFEM, CSDHA, UNCTAD)

Para 6.

The last sentence should read (addition underlined): " .... to continue the development of a system of <u>sex-disaggregated</u> indicators ...."

(UNIFEM, CSDHA, UNFPA)

IV. Human Rights Education.

Para 1. Second sentence should read (changes underlined):

"The World Conference calls on all States and private institutions, as a matter of the highest priority, to include human rights <u>with a gender perspective</u> in the

curricula of all learning institutions in formal and non-formal settings and including popular and adult education."

(UNIFEM, CSDHA, UNFPA, UNICEF)

Para.4. First sentence should read (changes underlined):

Intergovernmental and non-governmental organizations have a responsibility to initiate and support education in human rights and associated ethical principles, and to undertake effective dissemination of public information about human rights.

(CSDHA)

V. Implementation and Monitoring.

Para 3. (bis)

New para should read as follows:

"The World Conference recommends that the United Nations treaty bodies and other human rights mechanisms, take full account of the work of the supervisory bodies of the specialized agencies on related human rights questions, and particularly those of the ILO and UNESCO; and that those bodies take full account of the work of the United Nations bodies in this regard.

(ILO)

Para 4.

After monitoring system add "of the United Nations".

(ILO)

Para 4. (bis)

New para should read as follows:

"The World Conference recommends that all UN treaty committees, thematic and country rapporteurs and working groups, independent experts and all bodies entrusted with protecting human rights address violations of women's human rights by including gender-specific abuses, in the areas that fall within their mandates (through advisory services, training programmes, reporting, monitoring and complaints procedures, etc)."

(UNIFEM, CSDHA, UNFPA)

Para 6.

To the second sentence add:

"and the mass exoduses which often result between "outbreaks of serious violations of human rights" and "and to bring an end to such situations";

add "emergency response between "preventive action" and "and for active methods to arrest such situations".

(UNHCR)

The first sentence should read as follows (changes underlined)

"The World conference underlines the importance of preserving and strengthening the system of country and thematic rapporteurs and working groups reporting to the Commission on Human Rights, including separate and going visits for fact-finding and on-site monitoring including violations of women's human rights and gender-specific abuses and the necessary human and financial resources for carrying them out....."

(UNIFEM, CSDHA, UNFPA)

Para 9.

Replace existing text with the following:

The World Conference, recognizing the role and responsibility of human rights organs in preventing circumstances which force people to become displaced persons or refugees and promoting conditions conducive to their voluntary repatriation, recommends that existing mechanisms pay particular attention to human rights problems leading to displacement, and that the Commission on Human Rights establish a mechanism to monitor and report on human rights situations with the potential to cause population displacements or to impede voluntary return, and to recommend effective responses by the States concerned and by the international community.

(UNHCR)

Add after the end of the para: "... and to take account of the gender-specific abuses faced by women and children in such situations."

(UNIFEM, CSDHA, UNFPA, UNICEF)

VI. Follow-up to the World Conference.

Comment by ILO -

Would it not be more appropriate to ask the Secretary-General to convene regular meetings and to take other appropriate measures to implement the recommendations of the World Conference, and to report annually to the Commission on Human Rights on the results achieved?.

ANNEX II

Documentation submitted to the fourth session of the Preparatory Committee of the World Conference by Specialized Agencies, United Nations bodies and Programmes

United Nations Development Fund for Women	A/CONF.157/PC/61/Add.17
Office of the United Nations High Commissioner for Refugees	A/CONF.157/PC/61/Add.14
United Nations Children's Fund	A/CONF.157/PC/61/Add.15
United Nations Population Fund	A/CONF.157/PC/61/Add.9
Centre for Social Development and Humanitarian Affairs	A/CONF.157/PC/61/Add.5
International Labour Organization	A/CONF.157/PC/61/Add.10
United Nations Education, Scientific and Cultural Organization	A/CONF.157/PC/61/Add.6
World Health Organization	A/CONF.157/PC/61/Add.8